S.B.Civil Revision Petition No.56/2007.

Hira Lal.

vs.

Samrathmal.

Date : 27.2.2007

HON'BLE MR. PRAKASH TATIA, J.

Mr. GL Khatri, for the petitioner.

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Heard learned counsel for the petitioner.

According to the petitioner, the court below committed error in setting aside the ex-parte decree passed in favour of the petitioner. According to the petitioner, the postal envelope was received with endorsement “refusal” and thereafter, the court below proceeded treating the service to be sufficient.

It is submitted that the respondent/defendant came on the occasion of marriage in his relation in the Village and there, the postal notice was offered to the respondent.

I considered the submissions of learned counsel for the petitioner.

All facts have been considered by the court below in detail and thereafter, the court below has set aside the ex-parte order. In the facts of the case, I do not find any error of fact or law in the order impugned warranting interference in revisional jurisdiction.

Consequently, this revision petition, having no force, is hereby dismissed.

(PRAKASH TATIA), J.

S.Phophaliya